



ORDINARY MEETING

5 JUNE 2024

9 A.M.

PRESENT: Cr A Eden (Chairperson)
Cr B Moller
Cr M Tickner
Cr C Zeiger
Cr T Tim
Cr R Pyne
Cr A Middleton
Cr R Coghlan
Cr B Olds

APOLOGY: Cr K Vallely

OFFICERS:

| | |
|-------------|--|
| J Andrejic | Acting Chief Executive Officer |
| C Posgate | Director People and Organisational Performance |
| E Johnson | Director Planning, Growth and Sustainability |
| D Puia | Director Lifestyle and Community |
| L Whitton | Director Finance & Business Services |
| N Masasso | Director Economic Development and Advocacy |
| G Everson | Associate Director Service Delivery |
| T Dendle | Executive Manager Community Spaces |
| C Simmons | Executive Manager Development & Planning |
| A Patterson | Executive Manager Licensing & Compliance |
| A Combe | Executive Manager Marketing & Communications |
| P Rogato | Media Coordinator |
| A Turnbull | Executive Manager Office of the CEO |
| S Cottrell | Minute Secretary |

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APOLOGY

Council notes the apology of Councillor Vallely and grants leave of absence.

PRESCRIBED CONFLICT OF INTEREST / DECLARABLE CONFLICT OF INTEREST

There were no conflict of interests or material personal interests declared.

PURPOSE OF MEETING

To consider the matters listed on the agenda.

CONFIRMATION OF MINUTES OF THE ORDINARY MEETING 22/04/2024 AND THE SPECIAL MEETING 29/04/2024

TICKNER / TIM

That the Minutes of the Ordinary Meeting held on Wednesday, 22 May 2024 and the Special Meeting held on 29 May 2024 be confirmed.

carried unanimously

1. TENURE ARRANGEMENTS FOR COMMUNITY ORGANISATIONS

.....53
55/2/3 | #7408353

MOLLER / OLDS

That Council:

1. Applies exceptions in accordance with section 236(2) of the *Local Government Regulation 2012* for the disposal (via lease) of valuable non-current assets other than by tender or auction pursuant to section 236(1)(b)(ii) being for the purpose of issuing tenure arrangements to community organisations over land described as:

- Lot 304 on NR2543, 1-15 Meller Street, Barron/Freshwater;
- Lot 2 on SP330218, L2 Trinity Beach Road, Trinity Beach;
- Lot 1 on RP737188, 61-79 Windarra Street, Woree;
- Lot 636 o NR6622, 81-97 Windarra Street, Woree
- Lot 197 on RP748699, 24 Leisure Park Road, Smithfield;
- Lot 557 on SP101790, 40-42 MacNamara Street, Manunda;

- Lot 2 on SP277156, 80 Cheviot Street, Smithfield;
- Lot 496 on C198327, 13-17 Quarry Street, Aeroglen;
- Lot 17 on SP155099, Esplanade, Cairns City; and
- Lot 191 on NR6528, 85-93 Oleander Street, Holloways Beach; and

2. Delegates authority to the Chief Executive Officer under section 257 of the *Local Government Act 2009* to negotiate and finalise any and all matters in connection with the lease arrangements.

carried unanimously

2. TENURE ARRANGEMENT – NEW FREEHOLD LEASE OVER PART OF LOT 11 ON SP298401, 271 GATTON STREET, WESTCOURT – DIVISION 5.....61
 55/2/3 | #7425914

PYNE / MOLLER

That Council:

1. Applies an exception in accordance with section 236(2) of the Local Government Regulation 2012 for the disposal (via lease) of a valuable non-current asset other than by tender or auction pursuant to section 236(1)(b)(ii) being for the purpose of issuing a tenure arrangement to a community organisation;
2. Supports the offer of a freehold lease to Cairns Meals on Wheels Incorporated over part of lot 11 on SP298401, 271 Gatton Street, Westcourt, subject but not limited to:
 - a. the terms and conditions herein;
 - b. Development Approval; and
 - c. Cairns Meals on Wheels Incorporated securing funding to construct a new facility: and
3. Authorises the Chief Executive Officer to negotiate and finalise any and all matters relating to the freehold lease arrangement.

carried unanimously

3. MAJOR EVENTS SPONSORSHIP APPLICATION – DREAM ALOUD 202471
 52/1/16 | #7408162

TIM / COGHLAN

That Council:

1. Approves a cash and in-kind contribution of up to \$80,000 (ex GST), for Queensland Music Festival to deliver Dream Aloud 2024 under Council’s Major Events Sponsorship program;
2. Resolves in accordance with section 235(b) of the *Local Government Regulation 2012*, it is satisfied that the event provider is a Specialised Supplier and that they be added to the Sole Supplier Register for the remainder of the 2023/24 financial year and the 2024/25 financial year; and
3. Delegates authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to finalise any and all matters relating to the above.

carried unanimously

**4. MAJOR EVENTS SPONSORSHIP APPLICATION – SHINE ON
GIMUY 2024-2025.....76**
52/1/16 | #7378471

TIM / COGHLAN

That Council:

1. Approves a cash and in-kind contribution of up to \$160,000 (ex GST), comprised of \$80,000 per annum for Shine On Productions Pty Ltd to deliver the Shine on Gimuy 2024 and 2025 events under Council’s Major Events Sponsorship program;
2. Resolves in accordance with section 235(b) of the *Local Government Regulation 2012*, it is satisfied that the event provider is a Specialised Supplier and that they be added to the Sole Supplier Register for the remainder of the 2023/24 financial year and the 2024/25 financial year; and
3. Delegates authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to finalise any and all matters relating to the above.

carried unanimously

**5. MAJOR EVENTS SPONSORSHIP APPLICATION – AFLW
NORTHERN NEST 2024-2026.....81**
52/1/16 | #7408167

OLDS / COGHLAN

That Council:

1. Approves a cash contribution of up to \$150,000 (ex GST), comprised of \$50,000 per annum for the AFLW Northern Nest 2024-2026 under Council’s Major Events Sponsorship program;
2. Resolves in accordance with section 235(b) of the *Local Government Regulation 2012*, it is satisfied that the event provider is a Specialised Supplier and that they be added to the Sole Supplier Register for the remainder of the 2023/24 financial year and the 2024/25 financial year; and
3. Delegates authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to finalise any and all matters relating to the above.

carried unanimously

6. 2023/2024 INDUSTRY AND ECONOMIC DEVELOPMENT FUND (IEDF) APPLICATION – BABINDA DISTRICT COMMUNITY ASSOCIATION INC.....86
 58/1/2 | #7407555

MOLLER / ZEIGER

That Council:

1. Approves the award of grant funding of \$5,000 (ex GST) to Babinda District Community Association Inc, through Council’s Industry and Economic Development Fund to support the development of a Business Plan for the Babinda Museum; and
2. Delegates authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to finalise any and all matters relating to this project-based funding.

carried unanimously

7. LOCAL LAW DECLARATION OF DOG OFF LEASH AREAS AND ANIMAL PROHIBITIONS91
 52/8/1 | #7402484

OLDS / MIDDLETON

That Council:

1. Resolves, pursuant to section 25 (1) of Cairns Regional Council Local Law No 2 (Animal Management) 2016 (“the Local Law”), to declare that animals are prohibited in the public places identified in attachment 2, effective from 1 July 2024; and
2. Resolves, pursuant to section 26 (1) of Cairns Regional Council Local Law No 2 (Animal Management) 2016 (“the Local Law”), to declare that the specific areas within the public places identified in attachment 1 are areas where a dog is not required to be on a leash (a dog off leash area), effective from 1 July 2024; and
3. Delegates power to the Chief Executive Officer pursuant to section 257 of the *Local Government Act 2009* (“the Act”), to:
 - a. Take all necessary steps in accordance with Section 25 (3) and 25 (4) of the Local Law to notify the public of the declared areas in accordance with Section 25 (1) of the Local Law.
 - b. Take all necessary steps in accordance with Section 26 (2) and 26 (3) of the Local Law to notify the public of the declared areas made in accordance with Section 26 (1) of the Local Law.
4. Notes that a further report will be made to Council after a thorough review of these areas including the public feedback received as part of the Local Law Amendment process conducted in 2023.

carried unanimously

8. PREFERRED SUPPLIER ARRANGEMENT (PSA) 2931 - CLEANING OF GROSS POLLUTANT TRAPS (GPTS).....186
 63/1/402 | #7411281

OLDS / TICKNER

That Council:

1. Appoints contractors to Preferred Supplier Arrangement (PSA) 2931 – Cleaning of Gross Pollutant Traps on the following basis:
 - Separable Portion 1 – 1st preference - Magnum Plumbing Pty Ltd;
2nd preference - Relining Solutions
 - Separable Portion 2 – 1st preference - Magnum Plumbing Pty Ltd;
2nd preference – Relining Solutions

**Separable Portion 3 – 1st preference - Magnum Plumbing Pty Ltd;
2nd preference – Relining Solutions**

for a term of two years commencing on 1 July 2024 with two extension options of up to 12 months each available at Council’s discretion.

2. Delegates authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to enter into contract, negotiate, finalise and execute any and all matters associated with or in relation to this contract subject to Council’s normal procurement policies and practices.

carried unanimously

**9. PROJECT LAUNCH APPROVAL – DISASTER RECOVERY
FUNDING ARRANGEMENTS WORKS - NORTHERN AND CENTRAL
QUEENSLAND MONSOON AND FLOODING, 20 DECEMBER 2022 –
30 APRIL 2023192
50/5/96-01 | #7421600**

OLDS / COGHLAN

That Council:

- 1 Approves the Project Launch Approval for project PT24231 Chatham Terrace Embankment Stabilisation with a Project Launch Budget (PLB) of \$594,000 and an Approved End Date (AED) of 30 June 2025; and
- 2 Approves the Project Launch Approval for project PT24232 Dalton Road Embankment Stabilisation with a Project Launch Budget (PLB) of \$2,650,000 and an Approved End Date (AED) of 30 June 2025; and
- 3 Approves the Project Launch Approval for project PT24233 Cottone Road Embankment Stabilisation with a Project Launch Budget (PLB) of \$2,255,000 and an Approved End Date (AED) of 30 June 2025; and
- 4 Approves the Project Launch Approval for project PT24234 Ross Road Embankment Stabilisation with a Project Launch Budget (PLB) of \$1,853,000 and an Approved End Date (AED) of 30 June 2025; and
- 5 Approves the Project Launch Approval for project PT24235 Repairs to Various Drainage Assets with a Project Launch Budget (PLB) of \$2,787,000 and an Approved End Date (AED) of 30 June 2025; and
- 6 Resolves to adopt the Tender Consideration Plans for specialist ground stabilisation suppliers/contractors, and pipe jacking/tunnel boring/pipe sealing/relining contractors; and

- 7 Delegates authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to enter into contracts, finalise and negotiate any and all matters relating to these projects subject to normal procurement practices and policies.

carried unanimously

10. PROJECT LAUNCH APPROVAL – 2024/25 LRCI RURAL ROAD SHOULDER WIDENING PROGRAM (PT25233)204
50/7/1-1 | #7423921

MOLLER / OLDS

That Council:

- 1. Approves the Project Launch Approval (PLA) for the 2024/25 Pavement Rehabilitation Program (Rural Shoulder Widening) with a Project Launch Budget (PLB) of \$1,725,000 and an Approved End Date (AED) of 30 June 2025; and
- 2. Delegates authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to enter into contracts, negotiate, finalise and execute any and all matters relating to this program subject to Council’s procurement practices and policies.

carried unanimously

11. ASBESTOS DISPOSAL GENERAL POLICY AMENDMENT209
81/1/13 | #7424688

ZEIGER / OLDS

That Council adopts the amendments to the Asbestos Disposal General Policy.

carried unanimously

12. STATE EMERGENCY SERVICE SUPPORT GRANTS – 2024/25 ROUND217
63/18/1-01 | #7398319

OLDS / COGHLAN

That Council:

1. Retrospectively endorses the submission of the applications for funding under the State Emergency Service (SES) Support Grant Program 2024/25 to undertake facility upgrades at key SES facilities.
2. Notes that all grant applications have been approved by the SES Grants Committee with funding equalling 100% of the estimated total project costs detailed within the 2024/25 Capex Program with no Council financial contribution required.
3. Delegates authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to finalise any and all matters relating to the above applications.

carried unanimously

**13. PREFERRED SUPPLIER ARRANGEMENT (PSA) 2948 –
LANDSCAPE MAINTENANCE – SMITHFIELD VILLAGE226
63/1/411 | #7421167**

COGHLAN / OLDS

That Council:

1. Awards Preferred Supplier Arrangement (PSA) 2948 Landscape Maintenance Smithfield Village and appoints Bama Facilities Maintenance Pty Ltd as first preference for Separable Portions 1, 2 and 3; Pinnacle Landscape Solutions as second preference to Separable Portion 1; and Ausfield Services as second preference to Separable Portion 2 based on a Schedule of Rates, for a term of two years commencing 1 July 2024, with two extension options of up to 12 months each available at Council's discretion.
2. Delegates authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to enter into contract, negotiate, finalise and execute any and all matters associated with or in relation to this contract subject to Council's normal procurement policies and practices.

carried unanimously

14. DEBT POLICY230
63/8/32-01 | #7426247

MOLLER / TICKNER

That Council adopts an amendment to the Debt Policy for 2023/24.

carried unanimously

THE MEETING CLOSED AT 9.43 AM

CONFIRMED THIS DAY OF 2024

.....
MAYOR/CHAIR

.....
ACTING CHIEF EXECUTIVE OFFICER